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THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Promoting the right to development in the context of the United Nations Decade for the Elimination of Poverty (1997-2006)

Report of the Secretary-General submitted in accordance with Sub-Commission resolution 1999/9

Addendum

1. Following the preparation report of the Secretary-General submitted in accordance with Sub-Commission resolution 1999/9, the United Nations Children's Fund (UNICEF) submitted a contribution dated 21 July 2000. The substantive information received from UNICEF is summarized below.

2. UNICEF has integrated human rights into its development and humanitarian mandates, both internally and in its cooperation with others, taking guidance from the Charter of the United Nations and international human rights standards as articulated in the major human rights treaties and declarations, such as the Declaration on the Right to Development and, above all, the Convention on the Rights of the Child. UNICEF has a special relationship with that Convention and is recognized as a major partner in its implementation process.

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3. A number of important human rights principles having particular relevance for the work of UNICEF are set out in the Declaration on the Right to Development, inter alia that: (i) the human person is the central subject of development, as active participant, contributor and beneficiary; (ii) the development process which every human person and all peoples are entitled to enjoy is one of economic, social, civil, cultural, and political development, through which all human rights and fundamental freedoms are realized; (iii) States have the primary responsibility, individually and through international cooperation, to create conditions favourable to the realization of the right to development.

4. As the 1996 Working Group on the Right to Development emphasized in 1996 in the report on its fifth session, the right to development involves more than development itself; it implies a human rights approach to development. For UNICEF, this approach is premised on the understanding that there is no dichotomy between human rights and development.

5. Many articles of the Convention on the Rights of the Child, as interpreted and applied by the Committee on the Rights of the Child, can serve as more detailed articulations of the Declaration's principles as they relate to children. Article 4 provides that States must take all appropriate measures to realize the rights guaranteed by the Convention. Regarding the economic, social and cultural rights contained in the Convention, States must undertake measures to the maximum extent of their available resources and where there is need. This effort should be supported by international cooperation. The Committee on the Rights of the Child has stated, on the basis of this article, that international assistance should aim at the promotion of children's rights. It has also frequently expressed concern about the impact of structural adjustment policies on countries dependent on international aid.

6. Article 3 provides that, in all actions concerning children, the best interests of the child shall be a primary consideration. The Committee has stressed that the best interests principle should be considered when States determine budget priorities, especially regarding the most vulnerable children, including girls, indigenous children and children living in poverty. Sufficient budgetary resources must be allocated to children, and the Committee has in some instances recommended that Governments review the impact of spending cuts and structural adjustment policies, to identify ways to ensure adequate protection for children.

7. Article 6 guarantees the child's right to life and provides that States must ensure children's survival and development to the maximum extent possible. The Committee views the right to survival and development as a holistic concept which engages all of the Convention rights, including the child's rights to the highest attainable standard of health (art. 24), to an adequate standard of living (art. 27), to benefit from social security (art. 26), to education (art. 28) and to leisure, recreation and culture (art. 31).

8. UNICEF's attention to the role of children in development responds both to the requirements of international human rights standards and to conditions for sustainable development. The worst effects of poverty are often experienced by children, who can sustain lifelong damage to their minds and bodies and whose full development is permanently frustrated. In a vicious cycle, impoverished children also become transmitters of poverty, as parents, to the next generation. Investment in children helps to lay a solid foundation for sustained and equitable economic growth in the future.

9. UNICEF acts at the national, regional and global levels to fulfil the right to development, guided by the principles of the Convention on the Rights of the Child and understanding the child as the central subject of development. The most disadvantaged children, including children living in poverty, are UNICEF's focal point.

10. UNICEF develops programmes of technical assistance to support the realization of children's rights, including programmes to: promote law reform; create national coordinating and monitoring mechanisms on children's rights; initiate information, education and training activities on children's rights; and enhance national capacity to collect and analyse data on children and on the enjoyment of their rights.

11. UNICEF supports the development of the United Nations Development Assistance Framework (UNDAF), in the context of the Secretary-General's Programme for Reform. UNICEF has promoted the importance and value of turning to the Convention on the Rights of the Child for guidance and direction in this initiative. UNICEF has also been involved in the Common Country Assessment (CCA) process, which reviews and analyses national development situations and identifies key issues, including internal and external risks to the development process, as a basis for advocacy, policy dialogue and preparation of the UNDAF.

12. UNICEF has also been involved in the identification of child rights indicators to assess trends, promote action and achieve progress in the enjoyment of human rights, and in the dissemination of these results. Several UNICEF regional and country offices are developing child rights databases and, as in Latin America and the Caribbean, are producing social indicator bulletins with partners which examine questions of equity, as well as overall access to basic services. Efforts to collect disaggregated baseline data have been undertaken in a large number of countries, including through national household surveys. The "TransMONEE" project, which monitors social conditions in economies in transition and is based at the International Child Development Centre, is a further example of disaggregated data analysis at the regional level. Multiple Cluster Indicator Surveys (MICS) to measure progress towards children and development goals are another key instrument to support the analysis of disparities, as well as overall national achievements, and to provide a basis for country programme strategies that address more directly the needs of especially disadvantaged children.

13. The 1995 Copenhagen Declaration recommended the 20/20 Initiative for interested donor and developing countries, as a means of providing the funding necessary for universal access to basic social services. This form of investment enhances social outcomes, helps reduce poverty and augments the capabilities of the poor. It is one of the most effective methods of addressing the worst manifestations of poverty, as well as generating the long-term conditions that foster social and economic development. In 1997, the United Nations Development Group recommended UNICEF as the lead United Nations agency to ensure follow-up to the Oslo Consensus on the 20/20 Initiative. UNICEF is strongly committed to the initiative and will continue to provide leadership within the United Nations system.

14. UNICEF also contributes to the dialogue on how best to maximize the interdependent objectives of human rights, economic growth and social development, paying particular attention to the plight of children in the world's heavily indebted poor nations. In the booklet Children in Jeopardy: the Challenge of Freeing Poor Nations from the Shackles of Debt, UNICEF assessed

the progress of the Heavily Indebted Poor Countries Initiative launched in 1996 to address the debt crisis, along with the major reforms to the Initiative suggested in June 1999 by the Group of Seven. The booklet also presents a joint UNICEF/Oxfam proposal to set the eradication of poverty at the heart of debt relief reform. UNICEF and Oxfam have argued that measures to ease the debt burden, and so improve the economic outlook for heavily indebted countries, cannot succeed unless they protect the spending on basic social services that ensures children's right to grow up into healthy, well-nourished, literate citizens, fully equipped to contribute in their turn to their nation's economic recovery. For this reason, the two organizations have proposed that far more weight needs to be attached to strengthening the capacity of Governments to absorb savings from debt relief into antipoverty plans and less weight to narrowly defined macro-economic targets. The booklet presents a framework for a new approach to eligibility for debt relief which considers a wider range of human development targets and involves a broader range of development partners, including United Nations agencies.